

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVI

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case:2:21-cr-20346
Judge: Hood, Denise Page
MJ: Altman, Kimberly G.
Filed: 05-19-2021 At 10:19 AM
INDI USA V. KIMBROUGH (DA)

VIOLATIONS:
18 U.S.C. § 1542
18 U.S.C. §1028A(a)(1)

D-1, DARKENDRICK L. KIMBROUGH,

Defendant.

/

INDICTMENT

THE GRAND JURY CHARGES:

**COUNT ONE: (Use of Passport Secured by False Statement, in violation of
18 U.S.C. § 1542)**

D-1 DARKENDRICK L. KIMBROUGH

On or about March 5, 2020, in the Eastern District of Michigan, defendant, Darkendrick L. Kimbrough, did willfully and knowingly use passport No. 720677005, issued under the authority of the United States, the issuance of which was secured by reason of false statements in the application which included identification information pertaining to Eshange Marquis Kimbrough (DOB XX/XX/1983), who is defendant's brother, which passport the defendant then used

to gain entry into the United States at Detroit Metropolitan Airport, Romulus, Michigan, in violation of Title 18, United States Code, Section 1542.

**COUNT TWO: (Aggravated Identity Theft, in violation of 18 U.S.C.
§1028A(a)(1))**

D-1 DARKENDRICK L. KIMBROUGH

On or about March 5, 2020, in the Eastern District of Michigan, the defendant, Darkendrick L. Kimbrough, did knowingly use, without lawful authority, a means of identification of another person during and in relation to a felony violation enumerated in 18 U.S.C. § 1028A(c), to wit; Use of Passport Secured by False Statement, in violation of 18 U.S.C. § 1542, knowing that the means of identification belonged to another actual person, in violation of Title 18, United States Code, Section 1028A(a)(1).

FORFEITURE ALLEGATIONS

(Criminal Forfeiture - 18 U.S.C. § 982(a)(6)(A)(ii)(I)-(II))

1. The allegations contained in Count 1 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 982(a)(6).

2. Upon conviction of the offense in violation of Title 18, United States Code, Section 1542 set forth in Count 1 of this Indictment, the defendant, Darkendrick L. Kimbrough, shall forfeit to the United States of America, pursuant

to Title 18, United States Code, Section 982(a)(6):

- (A) any conveyance, including any vessel, vehicle, or aircraft used in the commission of the offense; and
- (B) any property, real or personal --
 - (i) that constitutes, or is derived from or is traceable to the proceeds obtained directly or indirectly from the commission of the offense, or
 - (ii) that was used to facilitate, or was intended to be used to facilitate, the commission of the offense.

3. Substitute Assets: If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States of America, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1) and Title 28, United States Code, Section 2461(c), to seek to forfeit any other property of such defendant up to the value of the forfeitable property described

above.

4. Money Judgment: Upon being convicted of Count 1 of this Indictment, the convicted defendant shall be ordered to pay the United States a sum of money equal to the total amount of proceeds the convicted defendant obtained as a result of such violation.

THIS IS A TRUE BILL

s/GRAND JURY FOREPERSON
GRAND JURY FOREPERSON

SAIMA S. MOHSIN
Acting United States Attorney

Jonathan Goulding
Assistant United States Attorney

s/Susan E. Fairchild
Susan E. Fairchild
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Dated: May 19, 2021

United States District Court
Eastern District of Michigan**Criminal Case Cover**Case: 2:21-cr-20346
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information		Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :		Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		AUSA's Initials: <u>SF</u>

Case Title: USA v. Darkendrick L. Kimbrough**County where offense occurred :** Wayne**Check One:** **Felony** **Misdemeanor** **Petty**

Indictment/ Information --- **no** prior complaint.
 Indictment/ Information --- based upon prior complaint [Case number:]
 Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: _____ Judge: _____

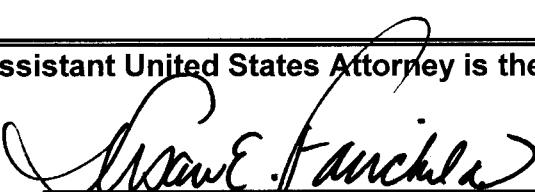
Corrects errors; no additional charges or defendants.
 Involves, for plea purposes, different charges or adds counts.
 Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
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Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

May 19, 2021

Date



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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.